

Message Text

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FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC 1404

INFO AMEMBASSY LISBON

AMCONSUL LUANDA

AMEMBASSY MADRID

AMEMBASSY PARIS

C O N F I D E N T I A L BRASILIA 7889

E.O. 11652: GDS

TAGS: PFOR BR PO

SUBJECT: SPINOLA DEPARTURE FROM BRAZIL

REF: BRASILIA 7334

1. BRAZILIAN PRESS HAS CARRIED DENIALS BY UNNAMED MINISTRY OF JUSTICE SOURCES THAT SPINOLA LEFT BRAZIL ON CURRENT EUROPEAN TRIP USING FALSE NAME. SAME SOURCES SPECULATED THAT SPINOLA MAY HAVE ASKED INTERNATIONAL CARRIERS TO SHOW HIM ON MANIFEST UNDER AN ALIAS, A STRAGEM THEY CLAIMED IS AT TIMES ALLOWED TO INTERNATIONAL CELEBRITIES WHO WISH TO TRAVEL UNMOLESTED. ONE PRESS ARTICLE NOTED THAT MINISTRY OF JUSTICE SPOKESMAN HAD CONFIRMED THAT SPINOLA HAD RECEIVED SPECIAL TRAVEL DOCUMENT AND THAT, SINCE GENERAL HAD MET LEGAL REQUIREMENTS, MINISTRY HAD NO FURTHER CONCERN WITH HIS UUSE OF DOCUMENT.

2. CHIEF OF EUROPEAN DEPARTMENT (RIO BRANCO) TOLD POL COUNSELOR SPINOLA'S LATEST ACTIONS (INCLUDING RECENT MILITANT PRESS INTERVIEW WITH UPI SHORTLY BEFORE DEPARTURE--HIS SIXTH INTERVIEW WITH INTERNATIONAL NEWS AGENCIES SINCE ARRIVING
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IN BRAZIL) HAVE NOT AFFECTED HIS STATUS AS POLITICAL ASYLEE IN

BRAZIL. AS OF NOW, GENERAL IS FREE TO RETURN TO BRAZIL IF HE DESIRES. RIO BRANCO ACKNOWLEDGED THAT MFR HAD CHOSEN NOT TO MAKE ISSUE OF SPINOLA'S POLITICAL STATEMENTS TO PRESS HERE, USING LEGAL FICTION THAT ALL SUCH STATEMENTS HAVE BEEN GIVEN TO INTERNATIONAL NEWS AGENCIES FOR INITIAL PUBLICATION OUTSIDE BRAZIL. HE TOOK NOTE OF RATHER STRONG FEELINGS IN MINISTRY OF JUSTICE THAT IT WOULD BE INAPPROPRIATE TO CURB SPINOLA'S RIGHT TO SPEAK OUT AS LONG AS LISBON MADE NO COMPARABLE EFFORT TO CURB ANTI-REGIME BRAZILIAN EXILES AND IMMIGRANTS IN PORTUGAL.

3. TURNING TO QUESTION OF DISPLACED PORTUGUESE SETTLERS FROM AFRICA, RIO BRANCO SAID GOOB PREFERS TO INSULATE ITSELF FROM DIRECT POLITICAL INVOLVEMENT IN PORTUGUESE-AFRICAN PROBLEM BY HANDLING MATTER OF RESETTLEMENT ENTIRELY THROUGH ICEM. BUT HE RECALLED THAT ACCESS TO BRAZIL IS UNUSUALLY EASY FOR THOSE PORTUGUESE CITIZENS WHO CAN OBTAIN TRANSPORTATION. BEARERS OF PORTUGUESE PASSPORTS CAN ENTER AS TOURISTS WITHOUT VISAS AND THE PRESS OF CHANGING STATUS TO IMMIGRANT IS FAIRLY ROUTINE.

4. COMMENT: MINISTRIES OF JUSTICE AND FOREIGN AFFAIRS HAVE SUCCESSFULLY USED ARTFUL BACK-PASSING TO AVOID BEING PINNED DOWN ON WHAT MANY REGARD HERE AS SPINOLA'S CLEAR VIOLATION OF STATUS. ITAMARATY HAS PARRIED QUESTIONS ABOUT SPINOLA'S POLITICAL ACTIVITIES HERE WITH RESPONSE THAT MINISTRY OF JUSTICE HAS SOLE RESPONSIBILITY FOR COMPORTMENT OF ASYLEES ONCE THEY ARE ADMITTED TO BRAZIL. JUSTICE SPOKESMEN, HOWEVER, WHEN ASKED ABOUT SPINOLA'S PRESS INTERVIEWS, HAVE REFERRED MATTER BACK TO ITAMARATY SINCE THEY ARE POLITICAL MATTERS AFFECTING RELATIONS WITH OTHER COUNTRIES. BEST INDICATIONS HERE ARE THAT SPINOLA DID TRAVEL TO EUROPE ON TRAVEL DOCUMENT ISSUED UNDER FALSE NAME AS PRESS SUGGESTS. BRASILIA CORRESPONDENT OF ESTADO DE SAO PAULO CLAIMS SPINOLA WAS GIVEN PASSPORT BY MINISTRY OF JUSTICE UNDER ONE OF HIS OTHER FAMILY NAMES AND THAT THIS WAS ONE OF MATTERS HE DISCUSSED WITH MINISTRY OF JUSTICE DURING VISIT TO BRASILIA IN MID-AUGUST.

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